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10 || Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA, ) CR 09-1003 (MHP)  
17 Plaintiff, ) STIPULATION AND [PROPOSED] ORDER  
18 v. ) EXCLUDING TIME UNDER SPEEDY TRIAL  
19 JAVIER SILVA-MALDONADO, ) ACT, 18 U.S.C. § 3161  
20 Defendant. )  
\_\_\_\_\_ )

On November 2, 2009, the parties in this case appeared before the Court for an initial appearance. At that time, the parties requested, and the Court agreed, to continue this matter for a possible change of plea on December 14, 2009. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension.

26 The defendant also agrees to exclude for this period of time any time limits applicable  
27 under 18 U.S.C. § 3161. The parties represented that granting the continuance was the

1 reasonable time necessary for continuity of counsel and effective preparation. 18 U.S.C. §  
2 3161(h)(7)(B)(iv). The parties also agreed that the ends of justice served by granting such a  
3 continuance outweighed the best interests of the public and the defendant in a speedy trial. 18  
4 U.S.C. § 3161(h)(7)(A).

5 SO STIPULATED:

6 JOSEPH P. RUSSONIELLO  
7 United States Attorney

9 DATED: November 2, 2009

/s/

10 BENJAMIN P. TOLKOFF  
Assistant United States Attorney

12 DATED: November 2, 2009

/s/

13 GEOFFREY HANSEN  
Attorney for JAVIER SILVA-MALDONADO

14 For the reasons stated above, the Court finds that the continuation of this matter from  
15 November 2, 2009, to December 14, 2009, is warranted and that the ends of justice served by the  
16 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18  
17 U.S.C. §3161 (h)(7)(A). The failure to grant the requested continuance would deny the  
18 defendant effective preparation of counsel, and would result in a miscarriage of justice. 18  
19 U.S.C. §3161(h)(7)(B)(iv).

21 SO ORDERED.

23 DATED: 11/3/2009

